

# DESOTO COUNTY BOARD OF SUPERVISORS

## BOARD MEETING MINUTES

**TOMMY LEWIS, PRESIDENT, PRESIDING**

**August 31, 1998**

### **A. CALL TO ORDER**

The August 31, 1998, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis of DeSoto County.

Deputy Sheriff Charlie Brown of DeSoto County was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Jessie Medlin-----District 1  
Eugene C. Thach-----District 2  
James D. Pearson-----District 3  
John Caldwell-----District 4, Absent  
Tommy Lewis-----District 5  
W. E. "Sluggo" Davis-----Chancery Clerk  
James Albert Riley-----Sheriff of DeSoto County, Absent  
Clovis Reed-----County Administrator  
Tony Nowak-----Board Attorney

### **B. INVOCATION**

The invocation was presented by Supervisor Eugene Thach.

### **C. OLD BUSINESS**

#### **1. Revenue Disposition - Walter Huffman - Stray Bull**

Mr. Tony Nowak, Board Attorney, said on the issue of the stray bull criteria for reimbursement should be as follows:

- (1) a newspaper article should run three (3) weeks stating bull found
- (2) the bull would need to be retained for ninety (90) days
- (3) if the owner does not appear, the animal maybe sent to auction
- (4) the money is to be retained in escrow account for three (3) years.

After all of the above criteria are met, the person or persons may be entitled to reimbursement of proceeds for the stray bull. At this time Mr. Tony Nowak, Board Attorney, told the Board of Supervisors, Mr. Huffman is not entitled to reimbursement of expenses due to stray bull.

**\*\*SEE EXHIBIT C.1\*\***

**ITEM C, CONTINUED,**

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**2. Allied Expansion - Approval Board President to Execute Contract**

Board Attorney Tony Nowak presented the contract with Universal Steel Buildings for the Allied Expansion Contract to the Board of Supervisors for approval. Mr. Nowak said the contract submitted from Universal Steel Buildings is approved for legal issues.

Supervisor Jessie Medlin made the motion, and Supervisor Eugene Thach seconded the motion to approve the Board President to execute contract in connection with Universal Steel Buildings for the Allied Expansion. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes  
Eugene C. Thach-----Yes  
James D. Pearson-----Absent  
John Caldwell-----Absent  
Tommy Lewis-----Yes

**\*\*SEE EXHIBIT C.2\*\***

**D. NEW BUSINESS**

**1. T.H. Walker - Terrorism Activity Conference**

T. H. Walker, Director of Civil Defense came before the Board of Supervisors to request approval to travel to a Terrorism Activity Conference to be held in Boise, Idaho, September 18<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup> of 1998. Mr. Walker said he is requesting to send three (3) employees to the conference in Boise, Idaho at the approximate cost of \$ 1,000.00 per employee. Mr. Walker said he has enough money in his budget to cover the cost of this conference.

Supervisor Tommy Lewis made the motion, and Supervisor Jessie Medlin seconded the motion to approve travel to the Terrorism Activity Conference for T.H. Walker and three (3) Civil Defense employees with the stipulation that the money is available in the Civil Defense Budget to cover the cost of this conference, and to authorize the clerk to write the pay for. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Absent  
Tommy Lewis-----Yes

**\*\*SEE EXHIBIT D.1.\*\***

**ITEM D, CONTINUED,**

**2. Dale Thompson Comptroller**

**a. Setting Tax Levy for Drainage Districts**

Dale Thompson Comptroller presented the requests to set the tax levy from Cane-Mussacuna, Short Fork, Northwest Mississippi Cons., Lake Cormorant, Horn Lake Creek, Yazoo MS Delta, and Walls Sewer Drainage Districts for approval by the Board of Supervisors.

Supervisor Tommy Lewis asked the Comptroller Dale Thompson if all the percentages remained the same. Dale Thompson responded yes.

THIS DAY came on to be heard by the Board of Supervisors of DeSoto County, Mississippi, the petition from the Cane-Mussacuna Drainage District asking that for the fiscal year 1999 a tax of 4.00% be levied against the benefits assessed to the lands and property in the Drainage District situated in DeSoto County. And it appearing that the Board of Commissioners of Cane-Mussacuna Drainage District has issued its order and assessed a levy of 4.00% for the year 1999 of the assessed benefits as shown of each tract of the roll of said District referred to above and has filed its petition with the Board of Supervisors of DeSoto County, Mississippi, requesting that it levy a tax in accordance with the order and assessment of the Board of Commissioners.

THIS DAY came on to be heard by the Board of Supervisors of DeSoto County, Mississippi, the petition from the Short Fork Drainage District asking that for the fiscal year 1999 a tax of .25% be levied against the benefits assessed to the lands and property in the Drainage District situated in DeSoto County. And it appearing that the Board of Commissioners of Short Fork Drainage District has issued its order and assessed a levy of .25% for the year 1999 of the assessed benefits as shown of each tract of the roll of said District referred to above and has filed its petition with the Board of Supervisors of DeSoto County, Mississippi, requesting that it levy a tax in accordance with the order and assessment of the Board of Commissioners.

THIS DAY came on to be heard by the Board of Supervisors of DeSoto County, Mississippi, the petition from the Northwest Mississippi Consolidated District Drainage District asking that for the fiscal year 1999 a tax of 3.50% be levied against the benefits assessed to the lands and property in the Drainage District situated in DeSoto County. And it appearing that the Board of Commissioners of Northwest Mississippi Consolidated Drainage District has issued its order and assessed a levy of 3.50% for the year 1999 of the assessed benefits as shown of each tract of the roll of said District referred to above and has filed its petition with the Board of Supervisors of DeSoto County, Mississippi, requesting that it levy a tax in accordance with the order and assessment of the Board of Commissioners.

THIS DAY came on to be heard by the Board of Supervisors of DeSoto County, Mississippi, the petition from the Lake Cormorant District Drainage District asking that for the fiscal year 1999 a tax of 1.00% be levied against the benefits assessed to the lands and property in the Drainage District situated in DeSoto County. And it appearing that the Board of Commissioners of Lake Cormorant Drainage District has issued its order and assessed a levy of 1.00% for the year 1999 of the assessed benefits as shown of each tract of the roll of said District referred to above and has filed its petition with the Board of Supervisors of DeSoto County, Mississippi, requesting that it levy a tax in accordance with the order and assessment of the Board of Commissioners.

**ITEM D.2, CONTINUED,**

THIS DAY came on to be heard by the Board of Supervisors of DeSoto County, Mississippi, the petition from the Horn Lake Creek District Drainage District asking that for the fiscal

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year 1999 a tax of 2.60% be levied against the benefits assessed to the lands and property in the Drainage District situated in DeSoto County. And it appearing that the Board of Commissioners of Horn Lake Creek Drainage District has issued its order and assessed a levy of 2.60% for the year 1999 of the assessed benefits as shown of each tract of the roll of said District referred to above and has filed its petition with the Board of Supervisors of DeSoto County, Mississippi, requesting that it levy a tax in accordance with the order and assessment of the Board of Commissioners.

THIS DAY came on to be heard by the Board of Supervisors of DeSoto County, Mississippi, the petition from the Yazoo Ms. Delta District Drainage District asking that for the fiscal year 1999 a tax of .61% be levied against the benefits assessed to the lands and property in the Drainage District situated in DeSoto County. And it appearing that the Board of Commissioners of Yazoo Ms. Delta Drainage District has issued its order and assessed a levy of .61% for the year 1999 of the assessed benefits as shown of each tract of the roll of said District referred to above and has filed its petition with the Board of Supervisors of DeSoto County, Mississippi, requesting that it levy a tax in accordance with the order and assessment of the Board of Commissioners.

THIS DAY came on to be heard by the Board of Supervisors of DeSoto County, Mississippi, the petition from the Walls Sewer District Drainage District asking that for the fiscal year 1999 a tax of \$ 38,400.00 levied against the benefits assessed to the lands and property in the Drainage District situated in DeSoto County to pay the bonds issued for that district. The Comptroller determined that a levy of \$ 38,400.00 is necessary to pay this debt. And it appearing that the Board of Commissioners of Walls Sewer Drainage District has issued its order and assessed a levy of \$ 38,400.00 for the year 1999 of the assessed benefits as shown of each tract of the roll of said District referred to above and has filed its petition with the Board of Supervisors of DeSoto County, Mississippi, requesting that it levy a tax in accordance with the order and assessment of the Board of Commissioners.

Supervisor Eugene Thach made the motion, and Supervisor Jake Pearson seconded the motion that a tax of:

Cane Mussacuna -----	4.00%
Short Fork-----	. 25%
Northwest Mississippi Consolidated-----	3.50%
Lake Cormorant-----	1.00%
Horn Lake Creek-----	2.60%
Yazoo MS Delta-----	.61%
Walls Sewer-----	\$ 38,400.00

Be and the same is hereby levied for the fiscal year 1999 for the purpose of maintaining, cleaning out and keeping in repair the ditches of said District and meeting the legal obligations of such District which levy is hereby assessed against the assessed benefits as shown by the assessment roll of said Districts. The **motion passed** by a vote as follows:

Jessie Medlin-----	Yes
Eugene C. Thach-----	Yes
James D. Pearson-----	Yes
John Caldwell-----	Absent
Tommy Lewis-----	Yes

**\*\*SEE EXHIBIT D.2.a.\*\***

**ITEM D.3, CONTINUED,**

**3. FINANCE**

**a. Homestead Exemption - Reimbursement**

The County Administrator Clovis Reed presented to the Legislators the 1999 Legislative Wish List Booklet for their review. Mr. Reed expressed his appreciation of their requesting the Wish List earlier than in previous years. Mr. Reed said this booklet contains a graph showing the growth rate of DeSoto County as the 7<sup>th</sup> fastest growing county in the United States.

Mr. Reed said there had been an item of great importance to the Wish List that would have a greater impact on DeSoto County than all the others. Mr. Reed asked for serious consideration of the Representatives regarding homestead exemption. Mr. Reed asked Bill Bryant of the Tax Assessors office to explain the homestead loss of revenue which DeSoto County is experiencing.

Bill Bryant of the Tax Assessors office came before the Legislative Representatives to present a certificate of tax loss of revenues for DeSoto County, Mississippi. Mr. Bryant said the Tax Assessors office has a preliminary figure of 25,509 homestead exemptions. Mr. Bryant said presently DeSoto County should be receiving \$ 100.00 per exemption however, the County is only receiving 91% to 92% of the actual exemption. Mr. Bryant said at the present time the County is only receiving \$ 2.5 million which is resulting in a \$ 4.3 million loss of revenues.

Mr. Bryant said prior to 1986, the Counties received 80% of the reimbursement for homestead loss. After 1986 the Counties received a maximum of \$ 95.00 per application with a cap of 106% of the prior years.

Mr. Bryant stated there are 82 Counties dealing with this type of revenue loss. Mr. Bryant said in 1991/1993 the State faced financial difficulties, therefore Homestead exemption reimbursements were reduced.

Supervisor Tommy Lewis said the Board realizes the Legislators have a budget to work with also. However, if DeSoto County could receive at least 2% of the revenue loss, it would help tremendously. Chancery Clerk W.E. “Sluggo” Davis suggested the percentage be removed all together.

Supervisor Eugene Thach said smaller Counties would benefit from this Homestead exemption. Mr. Bryant said the County is experiencing a \$ 500 to \$ 600 loss on residents over 65 years of age.

#### **b. Sales Tax**

The County Administrator Clovis Reed notified the Legislators that Counties are totally dependent on property tax to fund their government. The Board of supervisors requested receiving a share of sales tax in unincorporated areas of the County.

### **ITEM D.3.c, CONTINUED,**

#### **c. Gaming Redistribution**

The County Administrator Clovis Reed said that the State of Nevada equally splits revenues of their gaming commission. Mr. Reed said that part of the Nevada Legislation is included in

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the Legislative Wish List to use as a model in the State of Mississippi.

Representative Tommy Woods said the Legislature could explore setting aside 1% of funds for schools and split according to population of the eighty-two (82) Counties. Mr. Reed said with all of the discussion concerning the gaming commission, this statute may be questionable. Representative Woods said the gaming commission does not care what the State does with the revenues, and DeSoto County would receive part of the money.

Mr. Don Atkins, citizen of DeSoto County, said every cotton patch in Tunica is now a paved road. Representative Bill Minor said Tunica County is using their own money to refurbish roads in the County. Mr. Atkins said the County is building private roads through cotton patches from one Casino drive to another Casino drive.

Representative Minor said this issue would be presented to the State Legislative Delegation for consideration.

#### **d. Funds For Meetings**

The County Administrator Clovis Reed asked the Legislators for a way for officials to pay for refreshments for meetings. Mr. Reed said hosts of business meetings should not have to pass the hat for a collection to pay for refreshments offered at the meetings.

#### **e. Vending Machines Funds For County Employees**

The County Administrator Clovis Reed asked for authority to set up the County's Vending Machines proceeds to go into an employee fund. Supervisor Eugene Thach said this was an important item. Representative Tommy Woods replied the legalities would depend on what section of law this applied to.

The County Administrator said that Representative Wanda Jennings is already working on this legislation. Representative Tommy Woods said that Section 109 may prohibit that legislative change from occurring.

### **INFRASTRUCTURE**

#### **a. Rental of Road Equipment**

The County Administrator requested a change be made in the requirements for the rental of road equipment. Mr. Reed said the County has to advertise for bids if equipment breaks down a road. The rental equipment cannot be used for another project. The County cannot continue to work during the bid time. Representative Bill Minor asked the County Administrator Clovis Reed to get a copy of the bill request from last year as he will resubmit the bill to the Legislature for consideration this year.

### **ITEM 3.b, CONTINUED,**

#### **b. Highway 51 South of Church Road Widened**

The County Administrator Clovis Reed said MDOT will be widening Highway 51 to Church Road. Mr. Reed said the area between Church Road and Nesbit that will be a major artery for DeSoto County. Mr. Reed requested expedited this schedule to widen Highway 51 to Church Road with the opening of the Civic Center in the year 2000. Mr. Reed said it will

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have a major impact on the facility.

Representative Valeria Robertson said the Delegation would support this project.

**c. Great River Road Study**

The County Administrator Clovis Reed said that a study is being done to determine areas of funding for Highway 61 for parks, landmarks, etc. Mr. Reed said that Rose Banke is the appointee from DeSoto County to the commission. Mr. Reed said that the Board of Supervisors is requesting consideration for improvements and any other help to include areas of DeSoto County in this project. Representative Pat Miller asked what the zoning is on these areas of Highway 61 and asked if the County is prepared to meet the requirements of the funding.

**d. Highway 301 South to be accepted the State Highway System**

The County Administrator Clovis Reed said Highway 301 South is due to be resurfaced next month. However, with the additional growth to DeSoto County and Arkabutla Dam being a Federal park area, the Board of Supervisors is asking that Highway 301 South be added to the state highway system.

**e. Railroad Overpass on Starlanding Funnel Money through MDOT**

The County Administrator Clovis Reed requested the DeSoto County Delegation support the request for the transportation committee to use any money available in the IC Railroad Bill #105, Senator Bill #105-249, for an overpass on Starlanding Road. Mr. Reed said that Senator Thad Cochran is aware of this effort.

**f. Improvement of Germantown Road**

The County Administrator Clovis Reed requested funding and authority to be given to MDOT to improve Germantown Road. Mr. Reed said with the Highway 302 bypass construction, and the rapid growth of Olive Branch, this part of Germantown Road needs to be improved.

Ms. Mary Ann Schwartz said there have been several severe accidents on this stretch of road and traffic control needs to be in place.

**HEALTH & PUBLIC SAFETY**

**a. Radar For Sheriff**

The County Administrator Clovis Reed said the Board of Supervisors is requesting local and private legislation be presented which will authorize DeSoto County the use of radar.

Mr. Reed said the rapid growth of the County and the increased gaming traffic, is resulting in senseless deaths. Representative Valerie Robertson said that she would be glad to help with the effort when the County gets traffic counts and the number of miles of County roads.

**ITEM 3.b., CONTINUED,**

**b. Highway Patrol Officers**

County Administrator Clovis Reed said DeSoto County is requesting more Highway Patrol Officers due to the increasing growth. Mr. Reed said DeSoto County has lost two (2) Patrol Officers.

Representative Bill Minor said, even with the school once a year, they are only producing a

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graduating class of 30-35 out of an enrollment of 50. Representative Minor said for every graduating class, the Highway Patrol Officers do not increase in numbers, as the new recruits are replacing Officers which are retiring after 20 years. Therefore, the Highway Patrol Officers numbers do not increase, they remain at the same level of employees.

Supervisor Tommy Lewis asked about recruiting problems. Senator Minor said the school is only held once a year, requiring approximately four (4) months. The applications for the class in October, 1998 were accepted in August 1998. Representative Minor said the retirement program for Highway Patrol Officers is different than the County's. Representative Minor said a Highway Patrol Officer can retire after twenty (20) year of service with full pension and benefits, therefore today we have younger and inexperienced officers patrolling the highways.

### **ADMINISTRATIVE**

#### **a. Separate Circuit District**

County Administrator Clovis Reed presented a request before the Delegation for DeSoto County to become a separate Circuit District. Mr. Reed said DeSoto County is the largest county in the 17th Judicial District.

Representative Bill Minor said this issued was killed last year due to the way request was presented.

#### **b. County Attorney's Salary**

County Administrator Clovis Reed presented a request to the Representatives for an increase in the County Attorney's Salary. Mr. Reed said with the increase in population, the County Attorney's case load has increased with no increase in salary.

Senator Bill Minor said this request was presented previously. However, Senator Minor said when they came home, they realized DeSoto County was not included for consideration. Senator Minor said he would present request again this year.

Representative Pat Miller said local and private is not likely to pass this legislation. The Legislators and Board discussed past efforts to pass this bill. Representative Valerie Robertson said it maybe wise to handle this during the next election cycle.

The Legislators agreed they will keep working on the requests.

### **ITEM 3,c., CONTINUED,**

#### **c. Planning & Zoning Authority in Villages**

The County Administrator Clovis Reed said DeSoto County has an island in its zoning, called Memphis-Mississippi. Mr. Reed said the Board of Supervisors have major concerns with this issue.

Supervisor Tommy Lewis said Board is requesting authorization to enter into an interlocal

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agreement with the Village. Supervisor Lewis said this would provide planning and zoning regulations until the village reaches a specific population size that would qualify it as a city.

Supervisor Eugene Thach said presently the village has a population of eighty-four (84) residents. Supervisor Thach said this agreement would place a control on planning and zoning until the village is large enough to handle their own affairs.

Supervisor Tommy Lewis said if they can enter into a Inter-Local Agreement or if you can allow them to do their own planning and zoning or if the State will require DeSoto County to do planning and zoning until Memphis-Mississippi reaches a population of three hundred (300) would assure DeSoto County is developed properly in this area of the County.

**d. Budget Clarification**

The County Administrator Clovis Reed requested clarification on the budget statute. Mr. Reed said there are two (2) conflicting statutes. The first statute states the budget must be adopted by September 15<sup>th</sup> and the second statute states the budget must be published by September 15<sup>th</sup>.

Mr. Reed requested a change in the second statute. If the publishing date could be changed to September 30<sup>th</sup>, this would give the Board of Supervisors an extra week for budget work. Mr. Reed said as the statute reads now, the Board must approve budget a week ahead to assure publication by the September 15<sup>th</sup> deadline.

Mr. Reed thanked all of the Representatives for their time, and said the Board was very appreciative of the representation.

**4. Tax Assessor - Reduction in Assessment**

At the recommendation of the Tax Assessor Supervisor Jessie Medlin made the motion, and Supervisor Eugene Thach seconded the motion to approve the petition for reduction of assessment as recommended by the Tax Assessor. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes  
Eugene C. Thach-----Yes  
James D. Pearson-----Absent  
John Caldwell-----Absent  
Tommy Lewis-----Yes

**\*\*SEE EXHIBIT D.4\*\***

**ITEM D.5, CONTINUED,**

**5. Approval of Contract - West Group - (Law Library & County Administrator)**

Vanessa Lynchard presented the two contracts from West Group in connection with the Law Library & County Administrators office to the Board of Supervisors for approval. Vanessa said this will alleviate the need for many publications in the Law Library, and will provide the Mississippi Code, Attorney General opinions, and updated case laws of record to the County Administrator’s office. Vanessa Lynchard said at this time, the Law Library had been unable to meet with the Data Processing Department to address their computer needs.

Supervisor Eugene Thach said he thought the West Group would furnish a computer for this project. Vanessa responded that deadline had passed and instead West Group was offering a 15% discount in software. Vanessa said the County Administrators office is requesting software as the County Administrator and herself are using the same set of the Mississippi Code and often the books are unavailable when needed. Vanessa said there is enough money in the FY98 budget to cover this purchase. Supervisor Tommy Lewis asked the County Administrator Clovis Reed if he approved of this purchase. Mr. Reed replied yes.

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion to approve the agreements with the West Group for the Law Library and the County Administrators office, to authorize the Board President to execute the agreements, and to authorize the Clerk to write the check for the contract for the County Administrator’s office. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Absent  
Tommy Lewis-----Yes

**6. Appointments**

**a. Walls Sewer District**

Item was held over until September 3, 1998.

**b. E911 Commission**

Supervisor Tommy Lewis made the motion, and Supervisor Jessie Medlin seconded the motion to approve the reappointment of Police Chief Darryl Whaley to the 911 Commission. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Absent  
Tommy Lewis-----Yes

**\*\*SEE EXHIBIT D.6.b\*\***

**ITEM D.7, CONTINUED,**

**7. Board of Education - Request for work @ Olive Branch Middle School**

The County Administrator Clovis Reed presented a request from Mr. Ken Reid, Principal of Olive Branch Middle School. Mr. Reid is requesting assistance in creating more parking space on the back campus. Mr. Reid requested work consisting of scraping away grass and using limestone rock in an area of 150' x 100'.

Supervisor Eugene Thach said he is not in favor of making this a priority project, as the county should be given priority first.

Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion to grant the request of Mr. Reid, Principal of Olive Branch Middle School with the stipulation work will be performed as time warrants. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Absent  
Tommy Lewis-----Yes

**\*\*SEE EXHIBIT D.7\*\***

**8. Merritt Powell - Lake Grove Road**

Mr. Powell came before the Board of Supervisors to request the Board’s wishes for road improvements on Lake Grove Road. Mr. Powell said Lake Grove Road is located south of Oak Grove.

Mr. Powell said regulations stipulate the road must have asphalt. Mr. Powell said this road is approximately twenty (20) years old and falls approximately 70' short, and Mr. Jim Ivy said the road is not wide enough to asphalt.

Mr. Powell reminded the Board that Hernando had annexed this area, however the subdivision is in the County and part of this road is in the City. Mr. Powell said Mr. Harris told him he had no problem with asphaltting the entire road but he is requesting the county to provide the gravel.

Supervisor Tommy Lewis said with this type of situation, the County should provide the gravel for Lake Grove Road.

Supervisor Jake Pearson made the motion, and Supervisor Jessie Medlin seconded the motion to provide gravel for Lake Grove Road. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Absent  
Tommy Lewis-----Yes

**ITEM D.9, CONTINUED,**

**9. Year 2000 Upgrade - Data Systems Management**

The County Administrator Clovis Reed presented a letter from Data Systems Management regarding software presentation. This software is a sole-source product which was written by and sold exclusively by Data Systems Management.

Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion to adopt Data Systems Managements letter clarifying software is a sole-source product. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Absent  
Tommy Lewis-----Yes

**\*\*SEE EXHIBIT D.9\*\***

**E. BUDGET HEARING**

In accordance with Section 27-39-203 of the Mississippi Code, the public notice was published in the DeSoto Times Today for the benefit of the citizens of DeSoto County and to invite any person with questions, comments, or concerns to come before the Board of Supervisors at this time.

Citizens of DeSoto County appeared before the Board of Supervisors with questions concerning the Public Notice for the budget hearing. Supervisor Tommy Lewis said the public notice which was published in the newspaper is in strict compliance with the State of Mississippi statute. Supervisor Tommy Lewis also stated the notice is confusing and misleading and made one think there will be a tax increase. However, the second notice published was to confirm that DeSoto County would not have a tax increase this year. Supervisor Tommy Lewis said the Board is working diligently on the budget and planning to adopt this budget on September 8, 1998 without a tax increase.

Supervisor Jessie Medlin said he has received a few calls regarding the public notice. However, funds have been appropriated for the completion of Church Road and again there is no tax increase for DeSoto County.

Supervisor Eugene Thach said when the notice was published he personally called County Administrator Clovis Reed. Supervisor Thach said the notice was very confusing to him, but the state guidelines required this notice to be published. Supervisor Eugene Thach said, at this time, there is no tax increase planned for DeSoto County.

County Administrator Clovis Reed the state’s requirements for the public notice, as the notice is misleading to the public. Mr. Reed said the tax revenues will increase due to the growth in the County. The Administration Building, Civic Center, and the completion of Church Road expenditures are scheduled in the budget for FY99. Mr. Reed said the Administration Building, Civic Center, and completion of Church Road will be through the bond issues to be repaid over a period of years.

Mr. Aaron Baddley, citizen of DeSoto County asked the Board of Supervisors if there would be an increase in millage rates or assessment of property. Supervisor Eugene Thach said there has not been an increase in the last three (3) years. However, the Tax Assessor Parker Pickle is reassessing commercial property and most likely there will be an increase in commercial assessments.

**ITEM E, CONTINUED,**

Mr. Atkins said with 8.3 families per day moving into DeSoto County revenues generated by this growth would not be enough to keep up with the demand of services, or repair of roads. Mr. Atkins said the growth of the county should be slowed down. Supervisor Eugene Thach said Mr. Atkins was correct, as one day the growth would outweigh the revenues being generated.

Ms. Mary Ann Schwartz, citizen of DeSoto County said yes the county is growing at a fast pace. However, Ms. Schwartz is urging the Board to set aside land for parks. Ms. Schwartz said we do not have to develop the parks now, but later develop this land for our grandchildren.

Mr. Atkins said he did vote for the Civic Center, not for the Bureau expenses. Supervisor Tommy Lewis said the money is for management and maintenance of the Civic Center, so when the facility opens, tenants will be ready to move in. Mr. Atkins said the residents were not told about all of the facts regarding the Civic Center. Mr. Atkins said residents wanted a facility to have graduation commencements. Mr. Atkins said he would not have voted for this issue if had known all the facts and additions to plans in connection with the Civic Center Project.

The County Administrator Clovis Reed said to build a facility with seating for graduation commencements would not support itself. Mr. Reed said to build this type facility required the County to look at the next level to pay for the facility.

Supervisor Eugene Thach said the cost is tremendous for this type of facility. If the money can come in from the 2% tourism tax, residents would not have to pay higher taxes. Supervisor Eugene Thach said hopefully we will break even on the Civic Center and not have to subsidize the cost. Supervisor Thach said all of this depends on what the DeSoto County residents really want for the Civic Center.

Supervisor Tommy Lewis said some of the Civic Center benefits are not tangible. Supervisor Lewis said the Civic Center will offer concerts, hockey, and rodeos for our children as well as grandchildren. Residents will not have their children going to Tupelo or Memphis for these events and this will benefit DeSoto County.

Mr. Harold Arnold, resident of Olive Branch, Mississippi, in DeSoto County asked if at this time will there be a tax increase, or would this issue be decided on September 8, 1998. Supervisor Eugene Thach said the Board is working on the budget and at this time there will be no tax increase for DeSoto County.

A citizen from DeSoto County asked the Board of Supervisors if they would like for someone to handle their money in the manner the Board is handling ours. The citizen also stated the county roads are not being repaired. The Board said they are proud of their efforts to serve the citizens of DeSoto County.

Supervisor Jake Pearson replied the jail is over crowded, and said in jest the Board is researching the idea of placing inmates in tents to alleviate the overcrowding problem. Supervisor Pearson said the Board is looking at either renovation of the jail or the possibility of building a new facility.

Supervisor Eugene Thach said more roads have been repaired in the last seven years than ever before.

Mr. Don Atkins said Highway 51 has become a Gravel Truck Road, and asked about the status of weighing trucks. Supervisor Eugene Thach replied Highway 51 is a state highway, and suggested Mr. Atkins contact the state in regard to this matter.

#### **ITEM E, CONTINUED,**

A citizen of DeSoto County asked the Board of Supervisors why Cleveland Road to Holly Springs Road is not completed. Supervisor Tommy Lewis replied the county has not received all of the right of ways, and some of these will have to be purchased.

A citizen of DeSoto County asked the Board of Supervisors if the road from Eudora to the dam would be resurfaced. County Administrator Clovis Reed said work should begin in September 1998. Supervisor Eugene Thach said the Corp. of Engineers will be doing this work.

A citizen of DeSoto County said Supervisor Tommy Lewis has done more for the roads in District 5 in DeSoto County than has been done in the last fifty (50) years.

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T.L.

Mr. James Steel, citizen of DeSoto County, said the tax breaks for the large corporation are not right. Supervisor Tommy Lewis replied the corporations do pay the school tax and the road and bridge tax, however, if we do not give these corporations a tax incentive another county will. Mr. Steel agreed corporations do provide jobs for the county, however, suggested offering an incentive, not a fifteen (15) year tax break.

Supervisor Eugene Thach said he remembers the tax incentive began several years ago. Supervisor Thach said they have worked with the state on this issue and the state did change the years for an incentive to allow the Board of Supervisors to review the exemption after five (5) years and if the corporation had not met their commitment the exemption would be revoked. Supervisor Thach said the changes mandate corporations pay school, road and bridge tax, however, the county has received good companies looking for good schools and quality of life before deciding to relocate to DeSoto County.

Mr. Don Atkins said the tax incentive provides a tax loop for the corporations. Mr. Atkins said a corporation will ask for a tax exemption with a promise of 100-150 new jobs for the county, however, the corporation may only hire 75 new employees. Mr. Atkins said he feels when this happens the corporation should be penalized. Supervisor Eugene Thach replied this issue would have to be presented to the Legislators.

Supervisor Eugene Thach asked County Administrator Clovis Reed how our millage rates compare to other counties. Mr. Reed responded that DeSoto County has lower taxes than other counties of the same size in the state. Mr. Reed said the Board of Supervisors are very tight with the County's money.

Supervisor Tommy Lewis invited the public to attend the Board Meetings.

**1. Merritt Powell - Planning Commission**

Merritt Powell of the Planning Commission came before the Board of Supervisors requesting an additional \$ 11,182.00 for his budget for FY99. Mr. Powell said while preparing his budget for the FY99, he failed to budget for employee Scott Boyce in his department.

Supervisor Jessie Medlin made the motion, and Supervisor Eugene Thach seconded the motion to approve an additional budget increase of \$ 11,182.00 for the Planning Commission employee. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Absent  
Tommy Lewis-----Yes

**\*\*SEE EXHIBIT E.1\*\***

**ITEM E.2, CONTINUED,**

**2. DeSoto Sunrise Home - 3 years versus 5 year Contract**

The County Administrator said the five (5) year contract possibility was approved by the Administrator Dennis Moore of DeSoto Sunrise Homes.

**3. Martha Gatlin - CVB - Request for additional \$ 27,500.00**

This item was held over.

**F. EXECUTIVE SESSION**

The "Executive Session" portion of this meeting is presented under the portion of minutes called "Executive Session".

G. OTHER ISSUES

1. Dale Thompson - Sheriff Special Task Force

Dale Thompson, Comptroller requested approval by the Board of Supervisors to issue checks for related expenses through the end of September for the Special Task Force, and to close out this budget by September 30, 1998.

Supervisor Eugene Thach made the motion, and Supervisor Jake Pearson seconded the motion to authorize the Comptroller, Dale Thompson, to issue checks for any related expenses through the end of September and to close out this budget by September 30, 1998. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Absent  
Tommy Lewis-----Yes

2. Sewer Program - Washington, D.C.

Supervisor Tommy Lewis said he will be attending the Sewer Program in Washington, D.C. on September 9, 1998. Supervisor Lewis said he had taken the liberty of speaking with mayors regarding the Washington trip, as several of the mayors are planning to attend.

3. Genealogy Department

Supervisor Tommy Lewis asked Clovis Reed ,County Administrator, if there is space in the courthouse to move the Genealogy Department into. Mr. Reed replied there is a empty space downstairs where Youth Service was. Chancery Clerk, W.E. “Sluggo” Davis requested the attic space for storage if the Genealogy Department was relocated.

Supervisor Tommy Lewis made the motion, and Supervision Eugene Thach seconded the motion to relocate the Genealogy Department to the vacant Youth Service area, and the Chancery Clerks office may retain the attic area for storage. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Absent  
Tommy Lewis-----Yes

ITEM G.4, CONTINUED,

4. Farm Service Agency - Office Space

The County Administrator Clovis Reed presented a request from the USDA NRCS to relocate to office space occupied by Farm Service Agency.

The USDA NRCS said they received official notice Farm Service Agency was relocating and at this time would like to request use of this vacant office due to an increase in staff and storage.

The Board of Supervisors discussed this issue and stated in a previous meeting they have already spoken to the Probation Officers about occupying the office space.

No motions nor votes were made on this issue.

5. Trustmark Lease Agreement - Central Maintenance

Mr. Tony Nowak, Board Attorney, presented the Trustmark Lease Agreement to the Board of Supervisors for approval for two (2) tractors and boom mowers for Central Maintenance. Mr. Nowak said this was a fifteen (15) page agreement, and he would like to review it before recommending Board approval. Vanessa Lynchard stated this purchase for equipment was made through Baker & Powell and requested Board authorization to execute the lease agreement so that payment to be rendered to Baker & Powell upon the Board Attorneys approval of this agreement.

Supervisor Jake Pearson made the motion, and Supervisor Jessie Medlin seconded the motion to authorize the Board President to execute the lease agreement with Trustmark Bank for the purchase of two (2) tractors and boom mowers from Baker & Powell Equipment upon approval by the Board Attorney. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes  
Eugene C. Thach-----Yes  
James D. Pearson-----Yes  
John Caldwell-----Absent  
Tommy Lewis-----Yes

**\*\*SEE EXHIBIT G.5\*\***

6. Merritt Powell - Bankston Road North

Mr. Merritt Powell of the Planning Commission came before the Board of Supervisors with an appeal for assistance from Ms. Carolyn Wilson regarding Bankston Road North. Mr. Powell said Ms. Wilson has property located on Bankston Road North, however she cannot obtain access to this property.

Mr. Powell said this County road was originally built toward her property, however other development in the area has caused Bankston Road North to curve from its original direction. Mr. Powell said he has been working with the County Engineer, Daniel Murphy to identify the actual description of the previous road.

The Board of Supervisors have instructed Ms. Carolyn Wilson to work with the Planning Commission to determine the best way to handle this situation.

**\*\*SEE EXHIBIT G.6\*\***

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to recess until Wednesday, September 3, 1998 at 9:00 a.m.

THIS the 31st day of August, 1998, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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TOMMY LEWIS, President  
DeSoto County Board of Supervisors



